

1 JUDGE FRANKLIN D. BURGESS  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 UNITED STATES OF AMERICA, ) NO. CR05-5885FDB  
11 Plaintiff, )  
12 vs. ) ORDER GRANTING UNOPPOSED  
13 ) MOTION TO CONTINUE TRIAL  
14 ANTHONY ADAMS, ) DATE  
15 Defendant. )  
16 \_\_\_\_\_

17 Based on the unopposed motion of the defendant to continue the trial date, and  
18 the reasons set forth in the sealed affidavit of defense counsel in support of the motion,  
19 which are incorporated herein by reference and adopted as findings of fact, the Court  
20 makes the following findings of fact and conclusions of law:

21 1. The ends of justice served by granting this continuance outweigh the best  
22 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

23 2. Proceeding to trial absent adequate time for the defense to prepare would  
24 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

25 3. The defense needs additional time to explore issues of some complexity,  
26 including all relevant issues and defenses applicable to the case, which would make it  
unreasonable to expect adequate preparation for pretrial proceedings or for trial itself  
within the time limits established by the Speedy Trial Act and currently set for this case.

1 18 U.S.C. § 3161(h)(8)(B)(ii).

2 4. Taking into account the exercise of due diligence, a continuance is necessary  
3 to allow the defendant the reasonable time for effective preparation his defense. 18  
4 U.S.C. § 3161(h)(8)(B)(iv).

5 NOW, THEREFORE,

6 IT IS HEREBY ORDERED that the trial date is continued from July 31, 2006 to  
7 October 23, 2006, at 9:00 am. The resulting period of delay from July 31, 2006, up to  
8 and including the new trial date of October 23, 2006, is hereby excluded for speedy trial  
9 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

10 Pre-trial motions shall be due on August 28, 2006.

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12 DONE this 7<sup>th</sup> day of July, 2006.

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16 FRANKLIN D. BURGESS  
17 UNITED STATES DISTRICT JUDGE

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Presented By:

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/s/ Russell V. Leonard

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Russell V. Leonard

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Attorney for Defendant

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ORDER GRANTING UNOPPOSED MOTION  
TO CONTINUE TRIAL DATE  
U.S. v. Adams, CR05-5885FDB

FEDERAL PUBLIC DEFENDER  
1331 Broadway, Ste. 400  
Tacoma, Washington 98402  
(253) 593-6710